

AN ACT

relating to requiring certain non-ERCOT utilities to comply with energy efficiency goals.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subsection (a), Section 39.402, Utilities Code, is amended to read as follows:

(a) Until the [~~later of January 1, 2007, or the~~] date on which an electric utility subject to this subchapter is authorized by the commission to implement customer choice, the rates of the utility shall be regulated under traditional cost of service regulation and the utility is subject to all applicable regulatory authority prescribed by this subtitle and Subtitle A, including Chapters 14, 32, 33, 36, and 37. Until the date on which an electric utility subject to this subchapter implements customer choice, the provisions of this chapter, other than this subchapter, Sections [~~Section~~] 39.904 and 39.905, and the provisions relating to the duty to obtain a permit from the Texas [~~Natural Resource Conservation~~] Commission on Environmental Quality for an electric generating facility and to reduce emissions from an electric generating facility, shall not apply to that utility. That portion of any commission order entered before September 1, 2001, to comply with this subchapter shall be null and void.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as

S.B. No. 1150

1 provided by Section 39, Article III, Texas Constitution. If this  
2 Act does not receive the vote necessary for immediate effect, this  
3 Act takes effect September 1, 2011 \_\_\_\_\_

David Newkum  
President of the Senate

Joe Straus  
Speaker of the House

I hereby certify that S.B. No. 1150 passed the Senate on  
April 4, 2011, by the following vote: Yeas 31, Nays 0 \_\_\_\_\_

Patry Gaur  
Secretary of the Senate

I hereby certify that S.B. No. 1150 passed the House on  
May 13, 2011, by the following vote: Yeas 143, Nays 1, one  
present not voting \_\_\_\_\_

Robert Haney  
Chief Clerk of the House

Approved:

28 MAY '11  
Date

RICK PERRY  
Governor

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
7:00 PM O'CLOCK

Boyd R. Davis  
MAY 28 2011  
Secretary of State